

## UNITED STATES COURT OF APPEALS

## FOR THE NINTH CIRCUIT

FILED

MAR 30 2017

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

LONNIE LEE BANARK,

Plaintiff-Appellant,

v.

ADAMS, Assistant Warden of Operations;  
et al.,

Defendants-Appellees.

No. 16-16793

D.C. No.  
2:15-cv-00546-RFB-CWH  
District of Nevada,  
Las Vegas

ORDER

Before: THOMAS, Chief Judge, LEAVY and SILVERMAN, Circuit Judges.

The motion for a certificate of appealability (Docket Entry No. 8) includes a motion for reconsideration of the December 13, 2016 order. The motion for reconsideration is denied. *See* 9th Cir. R. 27-10. The mandate issued in this case on January 4, 2017.

Appellant's motion for a certificate of appealability, dated December 21, 2016, and received by this court on December 27, 2016, evidences an intent to appeal the district court's judgment entered on November 21, 2016. *See Estrada v. Scribner*, 512 F.3d 1227, 1236 (9th Cir. 2008) (pro se prisoner's motion for appellate counsel satisfied requirements for notice of appeal where motion identified party seeking to appeal, and referenced judgment and district court's issuance of certificate of appealability). The Clerk shall transmit the motion

(Docket Entry No. 8) to the district court for filing as a notice of appeal. *See* Fed.

R. App. P. 4(d)

No further filings will be entertained in this closed case.

Case: 16-16793, 09/30/2017, ID: 1637777, DktEntry: 12-2, Page 1 of 1  
LONNIE LEE BANARK #75288  
P.O. Box #208  
INDIAN SPRINGS, NEVADA 89702

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

LONNIE LEE BANARK ) CASE #16-16793  
APPELLANT,

Vs.

D.C. #2015-CV-00546-RFB-CWH

U.S. DISTRICT COURT FOR NEVADA,

ADAMS ET AL

RECEIVED  
MOLLY DWYER, CLERK  
U.S. COURT OF APPEALS

RESPONDANTS

LONNIE LEE BANARK 12-21-2016

DEC 27 2016

FILED \_\_\_\_\_  
DOCKETED \_\_\_\_\_  
DATE \_\_\_\_\_  
INITIAL \_\_\_\_\_

MOTION TO THE COURT, ISSUE A CERTIFICATE OF  
APPEALABILITY - IF NEEDED

MY DISTRICT COURT DECISION REGARDING  
CASE WRITTEN ABOUT WAS "CLOSED" 11-21-2016.  
WHILE THE COURT OF APPEALS HAD JURISDICTION.

THE PUSH FROM THE U.S. DISTRICT COURT  
JUDGE, LAS VEGAS WAS A EXAMPLE OF THE  
JUDGE AND MAGISTRATE BEING A BULLY.

I'M ASKING THE APPEALS COURT TO RECONSIDER  
THE DISMISSAL OF MY APPEAL, AND TAKE NOTICE  
OF NEW MAILING ADDRESS.

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